

VZCZCXYZ8182
PP RUEHWEB

DE RUEHWN #0130/01 0631445
ZNR UUUUU ZZH
P 031445Z MAR 08
FM AMEMBASSY BRIDGETOWN
TO RUEHC/SECSTATE WASHDC PRIORITY 6159
INFO RUCNCOM/EC CARICOM COLLECTIVE
RHMFIUU/DEPT OF HOMELAND SECURITY WASHINGTON DC
RUEAWJA/DEPT OF JUSTICE WASHDC
RUEATRS/DEPT OF TREASURY WASHDC
RUEHC/DEPT OF LABOR WASHDC

UNCLAS BRIDGETOWN 000130

SIPDIS

SENSITIVE
SIPDIS

STATE FOR G/TIP, G, INL, DRL, PRM, AND WHA/CAR
STATE PASS TO USAID/LAC/CAR-BOUNCY

E.O. 12958: N/A
TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [ELAB](#) [SMIG](#) [ASEC](#) [XL](#) [SC](#)
SUBJECT: TIP SUBMISSION - ST. KITTS AND NEVIS

REF: STATE 2731

¶1. (U) As requested in reftel, below are Post's responses to questions regarding St. Kitts and Nevis for the annual Trafficking in Persons Report.

Para 27 - Overview

¶2. (SBU)

¶A. Is the country a country of origin, transit, and/or destination for internationally trafficked men, women, or children?

St. Kitts and Nevis is not a country of origin, transit, or destination.

¶B. Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g., changes in direction).

There have been no changes in the situation since the last TIP Report. SKN authorities remain vigilant of the potential for trafficking in the Federation, but no evidence suggests that any exists.

¶C. Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the lead?

The Ministry of National Security.

¶D. What are limitations on the government's ability to address this problem in practice?

The government has limited resources with which to address trafficking. The lead agency on the issue, the Ministry of National Security, has limited staff and resources at its disposal. The police force has limited resources to devote to tackling illegal prostitution and potential trafficking. All organizations that are responsible for anti-trafficking also suffer from a lack of experience and training in handling these issues.

¶E. To what extent does the government monitor its anti-trafficking efforts?

There is monitoring and screening on criminal activity in

general, but nothing particular to TIP.

Para 28 - Investigations and Prosecutions of Traffickers

13. (SBU)

1A. Does the country have a law specifically prohibiting trafficking in persons--both for sexual and non-sexual purposes (e.g., forced labor)? If so, please specifically cite the name of the law and its date of enactment. Does the law(s) cover both internal and external (transnational) forms of trafficking? If not, under what other laws can traffickers be prosecuted?

There are no anti-trafficking in persons laws. Traffickers could be prosecuted under immigration, prostitution, and/or labor laws.

1B. What are the prescribed penalties for trafficking people for sexual exploitation?

There are no specific laws against trafficking people for sexual exploitation.

1C. Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for trafficking for labor exploitation, such as forced or bonded labor and involuntary servitude? Do the government's laws provide for criminal punishment--i.e., jail time--for labor recruiters in labor source countries who engage in recruitment of laborers using knowingly fraudulent or deceptive offers that result in workers being exploited in the destination country? For employers or labor agents in labor destination countries who confiscate workers' passports or travel documents, switch contracts without the worker's consent as a means to keep the worker in a state of service, or withhold payment of salaries as means of keeping the worker in a state of service? If law(s) prescribe criminal punishments for these offenses, what are the actual punishments imposed on persons convicted of these offenses?

The law does not adequately account for labor trafficking offenses.

1D. What are the prescribed penalties for rape or forcible sexual assault? How do they compare to the prescribed and imposed penalties for crimes of trafficking for commercial sexual exploitation?

The maximum penalty for rape is life imprisonment. Indecent assault on a minor carries a maximum penalty of 10 years imprisonment.

1E. Is prostitution legalized or decriminalized? Specifically, are the activities of the prostitute criminalized? Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized? Are these laws enforced?

Prostitution is not a crime in St. Kitts and Nevis, and there is no legislation covering the activities of prostitutes, clients, or pimps. However, it is an offence for a home owner to run a brothel or allow his/her house to be used as a brothel, and the penalty is a fine. This law is rarely enforced.

1F. Has the government prosecuted any cases against human trafficking offenders?

Not during the reporting period.

1G. Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

The government has partnered with IOM to provide training in

how to recognize and investigate instances of trafficking.

¶H. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, can post provide the number of cooperative international investigations on trafficking?

Since trafficking does not appear to be a problem in St. Kitts, the government does not currently work with other governments on trafficking cases.

¶I. Does the government extradite persons who are charged with trafficking in other countries? If so, can post provide the number of traffickers extradited? Does the government extradite its own nationals charged with such offenses?

N/A

¶J. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level?

No.

¶K. If government officials are involved in trafficking, what steps has the government taken to end such participation? Have any government officials been prosecuted for involvement in trafficking or trafficking-related corruption? Have any been convicted? What sentence(s) was imposed? Please provide specific numbers, if available.

N/A

¶L. N/A

¶M. If the country has an identified child sex tourism problem (as source or destination), how many foreign peophiles has the government prosecuted or deported/extradited to their country of origin?

There isno evidence of child sex tourism at this time.

Para 29 - Protection and Assistance to Victims

¶4. (SBU)

¶A. Does the government assist trafficking victims, for example, by providing temporary to permanent residency status, or other relief from deportation?

The government has not established such a system.

¶B. Does the country have victim care facilities which are accessible to trafficking victims?

St. Kitts and Nevis does not have victim care facilities.

¶C. Does the government provide funding or other forms of support to foreign or domestic NGOs and/or international organizations for services to trafficking victims?

The governemnt does not currently provide such funding or support.

¶D. Do the government's law enforcement, immigration, and social services personnel have a formal system of identifying victims of trafficking among high-risk persons with whom they come in contact?

Various government employees have received training in identifying potential victims among high-risk persons, but this training has not reached all relevant personnel, and there is no formal system or screening process which can readily identify TIP victims.

¶E. N/A

¶F. Are the rights of victims respected? Are victims detained or jailed? If detained or jailed, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

No victims have been detected.

¶G. Does the government encourage victims to assist in the investigation and prosecution of trafficking?

N/A

¶H. What kind of protection is the government able to provide for victims and witnesses? Does it provide these protections in practice? What type of shelter or services does the government provide?

The government is limited in the amount of protection it can provide for victims and witnesses. The government has no shelters.

¶I. Does the government provide any specialized training for government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of trafficked children?

The government cooperated with IOM in providing specialized training in identifying and reaching out to potential victims.

¶J. Does the government provide assistance, such as medical aid, shelter, or financial help, to its nationals who are repatriated as victims of trafficking?

N/A

¶K. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities? NOTE: If post reports that a government is incapable of assisting and protecting TIP victims, then post should explain thoroughly. Funding, personnel, and training constraints should be noted, if applicable. Conversely, the lack of political will to address the problem should be noted as well.

The government has worked with IOM, which has provided training and assisted in developing standards and action plans. Although the government suffers from a lack of funding and personnel, it does not appear to have a problem with political will.

Para 30 - Prevention

¶5. (SBU)

¶A. Does the government acknowledge that trafficking is a problem in the country?

The government is cognizant of the risk for TIP to become a problem in the Federation, and remains vigilant in its efforts to detect any possible TIP cases.

¶B. Are there, or have there been government-run anti-trafficking information or education campaigns conducted during the reporting period?

There are no government-sponsored anti-trafficking campaigns.

¶C. What is the relationship between government officials, NGOs, other relevant organizations and other elements of civil society on the trafficking issue?

There is a good working relationship between government officials and NGOs on promoting human rights; however, there are no specific collaborations on TIP issues.

¶D. Does the government monitor immigration and emigration patterns for evidence of trafficking? Do law enforcement agencies screen for potential trafficking victims along borders?

When researching potential incidents, the government will refer to immigration patterns as evidence. However, there is no preemptive monitoring of emigration patterns with the intent of pinpointing potential trafficking problems.

¶E. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force? Does the government have a trafficking in persons working group or a single point of contact? Does the government have a public corruption task force?

There is no formal mechanism for collaboration across agencies or departments within the government on TIP issues. The Immigration Department is part of the police force under the umbrella of the Ministry of National Security. From time to time, the Ministry of Gender Affairs will coordinate with the police force on issues of crimes against women.

¶F. Does the government have a national plan of action to address trafficking in persons? If so, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the government taken to disseminate the action plan?

The government does not have a formal plan, but has made efforts to educate its staff in immigration, the police force, Gender Affairs, and Public Prosecutions, as well as local nongovernmental organizations, to be aware of the potential for trafficking in the Federation.

¶G. What measures has the government taken during the reporting period to reduce the demand for commercial sex acts?

None. The only evidence that there is such demand was a 2008 study by the HIV/AIDS alliance, that estimated there are 400 casual sex workers (CSW) in the Federation.

¶H. N/A

¶I. N/A
OURISMAN